IN THE HIGH COURT OF CHHATTISGARH OF JUDICATURE AT BILASPUR

Single Bench

M.C.C. No. 539 **/2006**

[Arising out of W.P.S. No. 4599/05]

APPLICANT :- Shivnarayan Patle S/o Shidayal Patle, Peon, Office of the Executive Engineer, Public Works Department, SETU NIRMAN MANDAL Bilaspur [C.G.] Permanent resident of village- Bhurkoni, P.O. Narhada, Tahsil and District Raipur [C.G.].

P.R. No. 274-6/06
Presented by Shri Basant Kashyap
dated 20/9/06

VERSUS

RESPONDENTS :- 1] The State of Chhattisgarh, Through- Secretary, Public Works Department, Government of Chhattisgarh, Sachivalaya, Raipur [Chhattisgarh].

2] The Superintendent Engineer, Public Works Department, Setu Nirman Mandal, Raipur [C.G.]

3] The Executive Engineer, Public Works Department, Setu Nirman Mandal Bilaspur [Chhattisgarh]

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APPLICATION FOR RESTORATION OF W.P.S. NO. 4599/05 BETWEEN SHIVNARAYAN PATLE VS. STATE OF CHHATTISGARH AND OTHERS DISMISSED ON DEFAULT FOR WANT OF PROSECUTION ON DATED 07.09.06.

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.C.C. No. 539 of 2006

Applicant Shivnarayan Patle

Versus

Respondents The State of Chhattisgarh & others

Single Bench : Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri U. R. Koshle, Advocate for the applicant.

Shri Ajay Dwivedi, Panel lawyer for the respondents.

ORDER

(9th October, 2006)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. Learned counsel for the applicant submits that the counsel for the petitioner could not appear on account of bonafide mistake, therefore W.P.(S) No. 4599/2005, which was dismissed on 7.9.2006, be restored to its file.

2. Reasonable and sufficient cause has been shown. W.P.(S) No. 4599/2005 be restored to the original file, subject to payment of a cost of Rs. 250/- by the applicant, to the High Court Legal Aid Committee.

3. A copy of this order be placed on record of Writ Petition (S) No. 4599/2005 and the same be listed for hearing.

Sd/-
Satish K. Agnihotri
Judge

Thakur